

U.S. Application No. 10/085,655
Reply to Final Office Action dated March 30, 2006

PATENT
450100-03798

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-8 are pending in this application. Claims 1, and 5-7, which are independent, have been amended. Claim 8 is new. Support for this amendment is provided throughout the Specification and Drawings, specifically at pages 35-37 and Figures 20, 21, 27 and 28. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S Patent No. 5,999,169 to Lee (hereinafter, merely "Lee"), in view of U.S. Patent No. 5,523,754 to Eisen et al. (hereinafter, merely "Eisen") and in further view of U.S. Patent No. 6,453,270 to Durbin (hereinafter, merely "Durbin").

Claim 1 recites, *inter alia*:

"An information processing device...

execution means for executing a status monitor program for monitoring a difference in quantities of a first counter and a second

U.S. Application No. 10/085,655
Reply to Final Office Action dated March 30, 2006

PATENT
450100-03798

counter based on polling which indicates a status shift for a particular situation,

wherein said status shift corresponds to a first operation pulse and a second operation pulse calculated by the status monitor program.” (emphasis added)

As understood by Applicants, Lee relates to a graphical user interface system for supporting multiple two-dimensional movement inputs. A signal including a first and second signal representative of movements of respective first and second user input mechanisms are utilized for operating display symbols corresponding to either the first or second signal. The user is provided with such features as the ability to scroll the content of an image, to move back and forth through a sequence of frames displayed, to move a cursor over a GUI display and to move a sub-window, such as a magnifier, over the GUI display.

As understood by Applicants, Eisen relates to computer software for reconfiguring a keyboard input device to support the appropriate language when moving from application to application on a desktop. An application is selected on a computer system and an input device, keyboard, is appropriately mapped and remapped to correspond to the language selected by a user.

As understood by Applicants, Durbin relates to a system for remotely managing a network of waste containers, each of which associated with a monitoring unit which are linked to a central computer. The central computer provides a display via a display module having a full container window which shows full containers, an alarm window which shows non-full containers and a container status window which shows non-full containers not having an alarm condition.

Applicants submit that Lee, Eisen and Durbin, taken alone or in combination, fail to teach or suggest the features of claim 1. Specifically, Applicants submit that there is no

U.S. Application No. 10/085,655
Reply to Final Office Action dated March 30, 2006

PATENT
450100-03798

teaching or suggestion of an information processing device comprising execution means for executing a status monitor program for monitoring a difference in quantities of a first counter and a second counter based on polling which indicates a status shift for a particular situation, wherein said status shift corresponds to a first operation pulse and a second operation pulse calculated by the status monitor program, as recited in claim 1.

Therefore, Applicants submit that claim 1 is patentable.

Independent claims 5-7 are similar in scope and are believed patentable for similar reasons.

Therefore, Applicants submit that independent claims 1 and 5-7 are patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

BEST AVAILABLE COPY

10 of 11

00372325

U.S. Application No. 10/085,655
Reply to Final Office Action dated March 30, 2006

PATENT
450100-03798

CONCLUSION

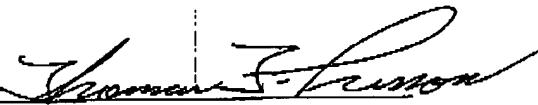
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800

BEST AVAILABLE COPY